

DAE

RECEIVED

MAR 01 2004

OFFICE OF PETITIONS

Certificate of Mailing:

The undersigned certifies that this correspondence is being sent via first-class mail, with sufficient postage, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 23rd day of February, 2004.

(s) Linda S. Evans
Linda S. Evans

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Darrow et al.	Atty. Docket:	ORT-1552
Serial No.:	10/015,989	Art Unit:	W. Moore
Filed:	December 10, 2001	Examiner:	1652
For:	Zymogen Activation System	Confirmation No.:	3866

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR WITHDRAWAL OF HOLDING OF ABANDONMENT

Sir:

In response to the Notice of Abandonment mailed February 6, 2004 (copy enclosed), Applicant respectfully requests reconsideration and petitions under 37 C.F.R. § 1.181(a) from the Initial Patent Examination Division's holding of abandonment of the above-identified application.


The Notice of Abandonment indicates that the application has been held abandoned for alleged failure to reply to the notice to file missing parts mailed March 6, 2002--i.e., the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated March 6, 2002. On March 25, 2002, however, Applicant filed a Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, as evidenced by: (i) the enclosed copy of the four-page

Response dated March 25, 2002, which includes a certificate of facsimile transmission and a copy of the formalities letter; (ii) a job status report dated March 25, 2002, confirming transmission of four pages; and (iii) an auto-reply facsimile transmission from the USPTO showing receipt of four pages on March 25, 2002.

As shown by the accompanying documentary evidence, Applicant timely submitted a complete response to the notice of March 6, 2002. Consequently, the holding of abandonment is in error and should be withdrawn.

Respectfully submitted,

Date: February 23, 2004


Linda S. Evans
Reg. No. 33,873

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, New Jersey 08933-7003
(858) 320-3406

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER

10/015,989

RECEIVED

12/10/2001

MAR 01 2004

FIRST NAMED APPLICANT

Andrew Darrow

ATTY. DOCKET NO./TITLE

ORT-1352

CONFIRMATION NO. 3866

OFFICE OF PETITIONS

Philip S. Johnson, Esq.
Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003

RECEIVED

FEB 10 2004

ABANDONMENT/TERMINATION
LETTER

OC000000011851879

J&J PAT. DKT. SECTION

Date Mailed: 02/06/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 03/06/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

BEST AVAILABLE COPY

TO: Auto-reply fax to 858 784 3044 COMPANY:



Auto-Reply Facsimile Transmission

RECEIVED
MAR 01 2004
OFFICE OF PETITIONS

UNITED STATES
PATENT AND
TRADEMARK OFFICE
★★★★

TO:

Fax Sender at 858 784 3044

Fax Information

Date Received:

3/25/02 7:22:38 PM [Eastern Standard Time]

Total Pages:

4 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 702.04 et seq.

Received
Cover
Page
=====>

MAR 25 2002 4:20 PM FR J&J LAW DEPT 858 784 3044 TO 917038729306 P.01

JOHNSON & JOHNSON
PATENT LAW DEPARTMENT
OFFICE OF GENERAL COUNSEL
Johnson & Johnson Pharmaceutical Research & Development, LLC
3210 Merryfield Row, San Diego, California 92121

FACSIMILE TRANSMISSION COVERSHEET

DATE: 25 March 2002
TO: Examiner W. MOORE
Art Unit: 1652
COMPANY: United States Patent & Trademarks Office
FACSIMILE NO.: (703) 872 - 9306
FROM: John W. Wallen, III, Esq.
Johnson & Johnson
TELEPHONE NO.: (858) 784 - 3239
FACSIMILE NO.: (858) 784 - 3044

NUMBER OF PAGES INCLUDING THIS COVER SHEET: 4

• NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE
DISCLOSURES

Serial No.: 10/015,989
Filed: 10 December 2001
Inventor: DARROW et al

(IF THERE IS A PROBLEM WITH THIS TRANSMISSION PLEASE CALL (858) 784-3249)

CONFIDENTIALITY NOTICE

This message is intended only for the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message solely to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via the U.S. postal service. Thank you.

Received from <858 784 3044> at 3/25/02 7:22:31 PM [Eastern Standard Time]

NOT AVAILABLE COPY